

BILL ANALYSIS

C.S.H.B. 2190
By: Canales
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

According to the Texas Department of Transportation (TxDOT) in their TxDOT glossary, highway safety advocates have raised concerns regarding the use of terminology in state law that refers to traffic crashes as traffic "accidents." According to TxDOT in this aforementioned document, these advocates believe "crash" more accurately reflects the potential and actual seriousness of incidents. This terminology is already in use by TxDOT and the U.S. Department of Transportation. This bill seeks to ensure our language in statute reflects the truth about how crashes are mostly preventable. C.S.H.B. 2190 seeks to address this issue by updating the terminology in state law used to describe transportation-related crashes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2190 amends the following codes and Vernon's Texas Civil Statutes to change the terminology used to describe transportation-related accidents from "accident" to "crash":

- Transportation Code;
- Business & Commerce Code;
- Civil Practice and Remedies Code;
- Code of Criminal Procedure;
- Education Code;
- Family Code;
- Government Code;
- Insurance Code;
- Occupations Code; and
- Penal Code.

The bill repeals a provision defining an "accident" as an event in which operating a commercial motor vehicle causes bodily injury or death and instead defines such an event as a "crash."

C.S.H.B. 2190 establishes that its provisions are nonsubstantive and are intended to clarify rather than change existing law.

C.S.H.B. 2190 repeals Section 72.051(1), Civil Practice and Remedies Code.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2190 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision not in the introduced establishing that the bill's provisions are nonsubstantive and are intended to clarify rather than change existing law.